

## IN THE CLAIMS

Please amend claims 11 and 13 as follows:

1. (Original) A method of determining the reverse link data rate limit for a mobile station of a high data rate system comprising the steps of  
    adding together the rates at which data is being transmitted from each mobile in a common sector to obtain an aggregate rate,  
    obtaining a moving average of the aggregate rate, and  
    normalizing the aggregate rate to generate an estimate of the maximum aggregate reverse link rate.
2. (Original) The method of claim 1 wherein the sum obtained by adding the rates at which data is being transmitted is for each mobile during a common frame.
3. (Original) The method of claim 2 further comprising the step of comparing the estimate of the maximum aggregate reverse link rate with a set of threshold values to obtain a maximum rate limit for the mobile station.
4. (Original) The method of claim 3 further comprising the step of setting the rate at which data is transmitted from a mobile to be equal to or less than the obtained maximum rate limit.
5. (Original) The method of claim 3 further comprising the step of setting the rate at which data is transmitted from a mobile to be less than the obtained maximum rate limit.
6. (Original) The method of claim 3 wherein the normalizing step comprises multiplying the aggregate by the ratio of the aggregate data rate of the active mobiles divided by the maximum data rate limit of the reverse link.

7. (Original) The method of claim 1 wherein the step of obtaining a moving average of the aggregate rate comprises the step of adding the aggregate rate for a single frame to an average of the aggregate rate of preceding frames.

8. (Original) The method of claim 7 wherein the preceding frame comprises a window of a fixed number of frames.

9. (Original) The method of claim 8 wherein the fixed number of frames in the window comprises at least two frames.

10. (Original) The method of claim 8 wherein the fixed number of frames in the window comprises up to five hundred or more frames.

11. (Currently Amended) ~~A~~ The method of claim 7 wherein the rate of one of the preceding frames is dropped each time the rate of a new frame is added to ~~a~~ a [the] window.

12. (Original) The method of claim 11 wherein the rate of the most mature frame is dropped from the window each time the rate of the youngest frame is added to the window to keep the number of frames in the window constant.

13. (Currently Amended) ~~The~~ A method of determining the reverse link data rate limit for a mobile station of a high data rate system comprising the steps of

providing a window of a number of frames,

subtracting the reciprocal of the number of frames in the window from one to obtain a first number,

multiplying the first number by ~~the~~ an aggregate data rate of the frames of the window to obtain a second number,

multiplying the reciprocal of the number of frames in the window by ~~the~~ a normalized aggregate rate received during a single frame to obtain a third number, and

adding the second number to the third number to obtain a fourth number which is the reverse loading expressed as a percentage.

14. (Original) The method of claim 13 further comprising the step of comparing the fourth number to a set of threshold values to obtain the maximum rate limit for the mobile station.

15. (Original) The method of claim 14 wherein the number of frames in the window is fixed.

16. (Original) The method of claim 15 wherein the frames in the window are consecutive frames.

17. (Original) The method of claim 13 wherein the normalized aggregate rate comprises the ratio of the aggregate data rate of the active mobiles divided by the maximum data rate limit of the reverse link.